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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------------|------------------|
| 10/017,068  | 12/13/2001  | Rodney A. Perkins    | 017534-000730US              | 7372             |
| 20350   | 7590        | 02/09/2006           |                              |                  |
| TOWNSEND AND TOWNSEND AND CREW, LLP<br>TWO EMBARCADERO CENTER<br>EIGHTH FLOOR<br>SAN FRANCISCO, CA 94111-3834 |             |                      | EXAMINER<br>MENDEZ, MANUEL A |                  |
|   |             |                      | ART UNIT                     | PAPER NUMBER     |
|   |             |                      | 3763                         |                  |

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. <sup>e</sup> |
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| EXAMINER |
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| ART UNIT | PAPER |
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02032006

DATE MAILED:

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Commissioner for Patents

Please review the attached document.

Manuel Mendez  
Primary Examiner  
Art Unit: 3763

***Response to Amendment***

The reply filed on 08/24/2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

In relation to amended claim 3, the phrase "absorption atelectasis" is not clearly defined in the specification. The specification supports this phrase by stating:

**[a]lternatively or additionally, an oxygen-rich gas can be introduced through the isolation/access catheter in order to induce absorption atelectasis".**

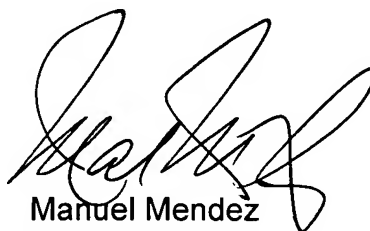
However, there is no clear description or definition of the phrase in order for a person of ordinary skill in the art to accurately understand the specifics of this invention. Accordingly, in order to expedite the prosecution of this application, applicant is respectfully invited to provide comments to clarify the meaning of the phrase in question. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manuel Mendez whose telephone number is 703-272-4977. The examiner can normally be reached on 0730-1800 hrs.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Manuel Mendez', is positioned above the printed name and title.

Manuel Mendez  
Primary Examiner  
Art Unit 3763

MM